

REMARKS

The Office Action is directed to claims 1-8. Claims 1, 5, 6 and 8 stand rejected under 35 USC §112. Claims 1, 3 and 5-8 stand rejected under 35 USC §102. Claims 2 and 4 stand rejected under 35 USC §103. By the foregoing amendment, claim 1 is cancelled and new claims 9-11 are presented for consideration. The remaining claims have been amended to overcome the outstanding rejections. Withdrawal of the rejections and reconsideration of the claims are courteously solicited.

Claims 1, 5, 6 and 8 stand rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By the foregoing amendment, claim 1 is cancelled. Claims 5, 6 and 8 have been amended to correct the objectionable language. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

Claims 1, 3 and 5 stand rejected under 35 USC §102(b) as being anticipated by Harris U.S. Patent No. 4 871 337. This claim is respectfully traversed.

It is well established that in order for a claim to be anticipated by a prior art reference, each and every element of the claim must be found in a reference. Harris '337 discloses a riding apparatus having a molded polyethylene shell and a foam core. One or more threaded T nuts are introduced into the mold during forming of the polyethylene shell. An elongate bar element is then secured within a channel formed in the shell by a plurality of fasteners engaging the T nuts embedded in the shell. Harris '337 does not disclose a sliding board having interface elements embedded within a foamed core of the sliding board, as required by new independent claim 9.

Claim 1 having been cancelled, the rejection of claim 1 over Harris '337 should be considered moot, and its withdrawal is respectfully requested. Claims 2-5 and 10-11 depend from

new independent claim 9 and should be considered allowable therewith. Withdrawal of the rejection of claims 3 and 5 over Harris '337, and reconsideration of the claims, is respectfully requested.

Claims 6-8 stand rejected under 35 USC §102(b) as being anticipated by Piegay U.S. Patent No. 5 836 604. This rejection is respectfully traversed.

Piegay '604 discloses a board for gliding on snow having a device for mounting a boot binding. The device comprises at least two lower elements that are located inside the board and extend to a side edge of the board, the ends of the lower elements forming a portion of the exterior edge of the board. The end portion of the lower elements are sandwiched between an upper element and a lower element of the board, forming a portion of the exterior surface of the edge of the board.

Piegay '604 does not disclose a method for the manufacture of a board wherein at least one interface element is anchored on a cradle or cassette fully encased within a cavity formed by sliding board upper and lower parts, foam subsequently introduced so that the interface and the cradle or cassette are connected with one another, and the cradle or cassette is completely embedded in said foam, as required by amended claim 6. Since Piegay '604 does not disclose every element of the amended claim 6, claim 6 is not anticipated by Piegay '604. Claims 7-8 depend from claim 6 and should be considered allowable therewith. Withdrawal of the rejection of claims 6-8 and reconsideration of the claims are respectfully requested.

Claim 2 stands rejected under 35 USC §103(a) as being unpatentable over Harris '337 in view of Piegay '604. This rejection is respectfully traversed.

In order to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine

reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)

As discussed above with respect to claim 9, from which claim 2 depends, Harris '337 does not disclose each and every element of the independent claim. Those elements not disclosed by Harris '337 are further not disclosed by Piegay '604. Accordingly, neither Harris '337 nor Piegay '604, nor the combination thereof, disclose all of the elements contained in the independent claim 9, which also form part of depending claim 2. Claim 2 should therefore be considered patentable over the combination of Harris '337 and Piegay '604, and withdrawal of the rejection and reconsideration of the claim are courteously solicited.

Claim 4 stand rejected under 35 USC §103(a) as being unpatentable over Harris '337 in view of Allmann et al. U.S. Patent No. 6 641 162. This rejection is respectfully traversed. Allmann et al. '162 discloses a glide board for skiing provided with a profile rail system on the top of the board. The rail system includes a profile section having a barbed effect inserted into a slot in the ski body and anchored there by gluing for the purpose of fastening the rail to the ski body. As discussed above with respect to claim 9, Harris '337 does not disclose all of the elements required by claim 9. Allmann et al. '162 further does not disclose the elements of the independent claim. Accordingly, neither Harris '337 nor Allmann et al. '162, nor the combination thereof, disclose all the elements of the independent claim or

the depending claim 4. Withdrawal of the rejection and reconsideration of the claim are respectfully requested.

In light of the foregoing amendments and remarks, the claims remaining in the application are considered to be in condition for allowance and early notice of allowability is courteously solicited. If necessary to further prosecution of the application, the Examiner is invited to contact the Applicant's representatives listed below.

Respectfully submitted,



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